
By: **Senator Mooney**
Introduced and read first time: February 3, 2004
Assigned to: Judicial Proceedings

A BILL ENTITLED

1 AN ACT concerning

2 **Vehicle Laws - Antitheft Provisions - Key Duplication and Possession**

3 FOR the purpose of requiring a person who makes for another person a key capable of
4 operating the ignition of a motor vehicle to obtain the signature of and record
5 certain information concerning the individual requesting the key; requiring that
6 the signature and other recorded information be kept for a certain period of time
7 and made available to the Motor Vehicle Administration and to certain law
8 enforcement officers; providing for the application of certain provisions of this
9 Act; prohibiting an individual from possessing a key to the motor vehicle of
10 another with intent to violate a certain provision of law; prohibiting an
11 individual from duplicating a key to the motor vehicle of another without certain
12 permission; establishing certain penalties for violations of this Act; and
13 generally relating to the possession and duplication of motor vehicle keys.

14 BY repealing and reenacting, without amendments,
15 Article - Criminal Law
16 Section 7-105(b)
17 Annotated Code of Maryland
18 (2002 Volume and 2003 Supplement)

19 BY adding to
20 Article - Transportation
21 Section 14-103.1 and 14-103.2
22 Annotated Code of Maryland
23 (2002 Replacement Volume and 2003 Supplement)

24 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
25 MARYLAND, That the Laws of Maryland read as follows:

1 **Article - Criminal Law**

2 7-105.

3 (b) A person may not knowingly and willfully take a motor vehicle out of the
4 owner's lawful custody, control, or use without the owner's consent.

5 **Article - Transportation**

6 14-103.1.

7 (A) THIS SECTION DOES NOT APPLY TO:

8 (1) ANY MOTOR VEHICLE MANUFACTURER WHO MAKES A KEY FOR A
9 NEWLY MANUFACTURED MOTOR VEHICLE; OR

10 (2) ANY PERSON WHO MAKES A KEY BY DUPLICATING ANOTHER KEY.

11 (B) ANY PERSON WHO MAKES FOR ANOTHER PERSON A KEY CAPABLE OF
12 OPERATING THE IGNITION OF A MOTOR VEHICLE, WHETHER OR NOT FOR
13 COMPENSATION, SHALL OBTAIN THE SIGNATURE OF THE INDIVIDUAL REQUESTING
14 OR PURCHASING THE KEY AND SHALL RECORD:

15 (1) THE INDIVIDUAL'S NAME, HOME ADDRESS, TELEPHONE NUMBER,
16 DATE OF BIRTH, AND DRIVER'S LICENSE OR SOCIAL SECURITY NUMBER;

17 (2) THE REGISTRATION NUMBER, VEHICLE IDENTIFICATION NUMBER,
18 YEAR, MAKE, MODEL, AND COLOR OF THE VEHICLE FOR WHICH THE KEY IS BEING
19 MADE;

20 (3) THE DATE ON WHICH THE KEY IS MADE; AND

21 (4) THE NAME OF THE INDIVIDUAL WHO MAKES THE KEY.

22 (C) FOR EACH KEY MADE, THE SIGNATURE AND ACCOMPANYING
23 INFORMATION DESCRIBED IN SUBSECTION (B) OF THIS SECTION SHALL BE:

24 (1) KEPT FOR AT LEAST 2 YEARS AT THE LOCATION WHERE THE KEY
25 WAS MADE; AND

26 (2) MADE AVAILABLE FOR INSPECTION BY THE ADMINISTRATION, THE
27 DEPARTMENT OF STATE POLICE, OR A LAW ENFORCEMENT OFFICER WITH A COUNTY
28 OR MUNICIPAL POLICE DEPARTMENT OR SHERIFF'S OFFICE WHO IS ASSIGNED TO AN
29 ANTITHEFT UNIT.

30 (D) A PERSON WHO FAILS TO COMPLY WITH ANY OF THE PROVISIONS OF THIS
31 SECTION IS SUBJECT TO A CIVIL PENALTY NOT EXCEEDING:

32 (1) FOR A FIRST OFFENSE, \$500; OR

33 (2) FOR A SECOND OR SUBSEQUENT OFFENSE, \$1,000.

1 14-103.2.

2 (A) AN INDIVIDUAL MAY NOT POSSESS A KEY TO THE MOTOR VEHICLE OF
3 ANOTHER WITH THE INTENT TO USE THE KEY TO VIOLATE § 7-105(B) OF THE
4 CRIMINAL LAW ARTICLE.

5 (B) AN INDIVIDUAL MAY NOT ATTEMPT TO DUPLICATE A KEY TO A MOTOR
6 VEHICLE WITHOUT PERMISSION FROM THE OWNER OR LAWFUL POSSESSOR OF THE
7 MOTOR VEHICLE.

8 (C) AN INDIVIDUAL WHO IS CONVICTED OF A VIOLATION OF ANY OF THE
9 PROVISIONS OF THIS SECTION IS SUBJECT TO A FINE OF NOT MORE THAN \$1,000 OR
10 IMPRISONMENT FOR NOT MORE THAN 1 YEAR OR BOTH.

11 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
12 October 1, 2004.